

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

EDWARD THOMAS KENNEDY	:	
	Plaintiff	: CIVIL ACTION NO. 3:19-67
v.	:	(JUDGE MANNION)
MARIA CASEY, et al.	:	
	Defendants	:

ORDER

Presently before the court is the report and recommendation of Magistrate Judge William I. Arbuckle (“Report”), which recommends that the plaintiff Edward Thomas Kennedy’s (“Kennedy”) complaint ([Doc. 1](#)) be dismissed. ([Doc. 15](#)). On July 6, 2019, Kennedy electronically filed several documents, one of which is described as a reply brief to Judge Arbuckle’s Report. See ([Doc. 17](#)). Upon review, Kennedy’s filings all relate to the order to show cause issued by this court, and therefore can not be construed as objections to Judge Arbuckle’s Report.

When no objections are made to the report and recommendation of a magistrate judge, the court should, as a matter of good practice, “satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” [Fed.R.Civ.P. 72\(b\)](#); advisory committee notes; see *also Univac Dental Co. v. Dentsply Intern., Inc.*, 702 F.Supp.2d 465, 469 (M.D.Pa.

2010) (citing *Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining judges should give some review to every report and recommendation)). Nevertheless, whether timely objections are made or not, the district court may accept, not accept, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. 28 U.S.C. §636(b)(1); M.D.Pa. L.R. 72.31.

The court finds that Judge Arbuckle used proper reasoning and evidence to support his Report and arrived at a legally-sound conclusion. As such, Judge Arbuckle's Report is adopted in its entirety as the opinion of this court. Furthermore, the court finds that granting Kennedy leave to amend his complaint would be futile.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

- (1)** Judge Arbuckle's Report ([Doc. 15](#)) is **ADOPTED IN ITS ENTIRETY**;
- (2)** Kennedy's complaint ([Doc. 1](#)) is **DISMISSED**; and
- (3)** The Clerk of Court is directed to **CLOSE** this case.

s/ Malachy E. Mannion

MALACHY E. MANNION
United States District Judge

DATE: July 10, 2019

19-67-03